## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re:

Patent Application of

: Group Art Unit: Not Yet Assigned

Rosana Kapeller-Libermann

Appln. No.:

Not Yet Assigned

: Examiner: Not Yet Assigned

Filed:

Herewith

For:

13245, A NOVEL HUMAN MYOTONIC : Attorney Docket No.

DYSTROPHY TYPE PROTEIN KINASE : 10147-57U1

AND USES THEREFOR

: (MBIO2000-513P1R)

## PRELIMINARY AMENDMENT

Preliminary to the calculation of fees and examination of the above application being transmitted herewith, please amend the application, without prejudice, as follows:

## In the Claims:

Please cancel claims 9-11, 14, 15, 19-22, 24-38, 40-44, 46, 47, and 49 without prejudice to re-addition of these claims in this or another patent application.

## REMARKS

Claims 1-8, 12, 13, 16-18, 23, 39, 45, and 48 are presently pending in this application. Claims 9-11, 14, 15, 19-22, 24-38, 40-44, 46, 47, and 49 have been canceled. Claims 1, 8, 23, 39, 45, and 48 are independent claims. The above amendments are made merely to reduce the filing fee. No new matter has been added by these amendments.

An early and favorable office action on the merits is requested at the earliest possible time.

Respectfully submitted,

Rosana Kapeller-Libermann

23 October 2001 By:

(Date)

GARY D. COLBY, Ph.D., J.D.

Registration No. 40,961

AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P.

One Commerce Square

2005 Market Street - Suite 2200

Philadelphia, PA 19103

Telephone: 215-965-1200

**Direct Dial:** 215-965-1285 Facsimile: 215-965-1210

E-Mail: gcolby@akingump.com